

ASSEMBLY BILL

No. 505

Introduced by Assembly Member Furutani

February 24, 2009

An act to amend Section 1210.8 of the Penal Code, relating to criminal procedure.

LEGISLATIVE COUNSEL'S DIGEST

AB 505, as introduced, Furutani. Criminal procedure: electronic monitoring devices.

Existing law authorizes a county probation department to utilize a continuous electronic monitoring device to electronically monitor the whereabouts of a person on probation, as specified. Existing law establishes required attributes of these devices, including that the device function 24 hours a day.

This bill would specify that the device function 24 hours a day, 7 days a week.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 1210.8 of the Penal Code is amended to
2 read:
3 1210.8. A county probation department may utilize a
4 continuous electronic monitoring device pursuant to this section
5 that has all of the following attributes:
6 (a) A device designed to be worn by a human being.

- 1 (b) A device that emits a signal as a person is moving or is
2 stationary. The signal shall be capable of being received and
3 tracked across large urban or rural areas, statewide, and being
4 received from within structures, vehicles, and other objects to the
5 degree technically feasible in light of the associated costs, design,
6 and other considerations as are determined relevant by the county
7 probation department.
- 8 (c) A device that functions 24 hours a day, *seven days a week*.
- 9 (d) A device that is resistant or impervious to unintentional or
10 willful damage.